

RCE 3677
#8
874
5-N-13

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/844,807
Filing Date	March 27, 2001
First Named Inventor	Kraig A. KIRSCHNER
Group Are Unit	3677
Examiner Name	James R. Brittain
Attorney Docket Number	7234-111

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective May 29, 2000. If the above-identified was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patented term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.
- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
Any unentered amendment(s) referred to above will be entered.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Amendment Transmittal _____

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2.
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____
3. The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0337
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17); if any extension of time is required, please consider this a request therefore.
- iii. ☐ Other: Any fee under \$1.15 or
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David M. Morse	Registration No. (Attorney/Agent)	50,505
Signature		Date	May 5, 2003

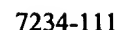
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, Alexandria, Virginia 22313-1450 on May 5, 2003.

Name (Print/Type)	David M. Morse	Date	May 5, 2003
Signature		Date	May 5, 2003

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01 FC:2801 375.00 CH
02 FC:2201 84.00 CH



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Kraig A. Kirschner
Serial No.	09/844,807
Filed:	March 27, 2001
For:	SEISMIC ADAPTER

Mail Stop RCE
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

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AMENDMENT TRANSMITTAL

Transmitted herewith is an Amendment in the above-identified application, including:

X Applicant claims small entity status pursuant to 37 CFR § 1.27

Applicants request an extension of time of ____ month to respond to the Office Action of _____.
Please charge the requisite fee of \$195.00 at the Small Entity rate to Deposit Account 50-0337.

-Total Claims	9	(-20	x \$18)	\$
-Independent Claims	5	(-3	2 x \$84)	\$ 168.00
-Multiple Dependent Claim(s)		(\$270)		\$
TOTAL OF ABOVE CALCULATIONS				\$ 168.00
-Reduction for Small Entity (1/2)				\$ 84.00
TOTAL FEES SUBMITTED HEREWITH				\$ 84.00

A check in the amount of \$ to cover the above fees is enclosed.

 X The Commissioner is hereby authorized to charge payment of the fees associated with or any additional fees required by this communication, or credit any overpayment, to Deposit Account **50-0337**.

 X I hereby certify that this paper and an Request for continued Examination (RCE) Transmittal, an Amendment (along with anything else referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date of signature hereof with sufficient postage as first class mail in an envelope addressed to the: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.

FULBRIGHT & JAWORSKI L.L.P.

Date of Signature: May 5, 2003

865 South Figueroa Street, 27th Floor
Los Angeles, CA 90017-2576
(213) 892-9200

By:

David M. Morse
Reg. No. 50,505

Attorneys for Applicant



PATENT
7234-111 (261/178)

#9
5-1403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kraig A. Kirschner

Serial No.: 09/844,807


Filed: March 27, 2001

For: SEISMIC ADAPTER

Group Art Unit: 3677

Examiner: Brittain, James R.

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited this day, May 5, 2003, with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents and Trademarks, Washington, D.C. 20231.


David M. Morse, Reg. No. 50,505

AMENDMENT AND RESPONSE

Mail Stop RCE
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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GROUP 3600

As part of Applicant's Request for Continued Examination, Applicant hereby responds to the Final Office Action mailed February 4, 2003.